

09 MAY 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Elias J. Lambiris  
NOVOZYMES NORTH AMERICA, INC.  
500 Fifth Avenue, suite 1600  
New York, NY 10110

In re application of	:	
LIU, Jim et al.	:	
U.S. Application No.: 10/565,024	:	
International Application No.: PCT/US03/10399	:	
International Filing Date: 04 April 2003	:	DECISION ON PETITION
Priority Date: 05 April 2002	:	UNDER 37 CFR 1.181
Attorney Docket No.: 10256.204-US	:	
For: IMPROVEMENT OF STRENGTH AND	:	
ABRASION RESISTANCE OF DURABLE	:	
PRESS FINISHED CELLULOSIC	:	
MATERIALS	:	

This decision is in response to applicants' "Petition for a serial number in a national stage application" filed 18 January 2006 in the United States Patent and Trademark Office (USPTO) which has been treated as a petition under 37 CFR 1.181.

**BACKGROUND**

On 04 April 2003, applicants filed international application PCT/US03/10399 which claimed priority of an earlier application filed 05 April 2002. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 05 October 2004.

On 18 January 2006, applicants filed the instant petition asserting that a transmittal for entry into the national stage in the United States including, inter alia, the basic national fee, was filed in the USPTO on 30 September 2004. The petition is accompanied by a post card from the USPTO with a date stamp of 30 September 2004.

**DISCUSSION**

A post card receipt that itemizes and properly identifies the papers that are being filed serves as *prima facie* evidence of receipt in the USPTO of all items listed on the post card on the date stamped on the post card. See MPEP section 503.

In the present case, the copy of the post card presented by the petitioner has a USPTO stamped receipt date of "30 September 2004" and itemizes the following:

1. Express Mail Certificate
2. Transmittal Letter to the DO/EO/US (in duplicate)
3. Application Data Sheet
4. Executed Combined Declaration and Power of Attorney
5. Recordation Form Cover Sheet
6. Assignment
7. Information Disclosure Statement
8. Form PTO/SB/08A
9. Copy of References


Further Petitioner states that "applicants enclose all of the documents submitted on September 30, 2004 along with the copy of the returned post card". Petitioner's statement is construed to mean that the copy of the documents submitted with the petition are true copies of those submitted on September 30, 2004. If this interpretation is incorrect, applicant must immediately notify the office of PCT Legal Administration.


Accordingly, applicants have provided *prima facie* evidence that the above identified documents had been received on 30 September 2004.

### CONCLUSION

Applicant's petition is GRANTED.

The application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for treating the copy of the documents attached to the instant petition as filed on 30 September 2004, including according the application a date under 35 USC 371(c)(1), (c)(2), and (c)(4) of 30 September 2004

  
Terrence R. Till  
Petitions Detailee  
Office of PCT Legal Administration  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313  
FAX (571) 273-0459

  
Boris Milef  
PCT Legal Examiner  
Office of PCT Legal Administration  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313  
FAX (571) 273-0459